

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRITNEE KENYON,	)	
	)	
Plaintiff,	)	Case No. 1:24-cv-09878
	)	
v.	)	Hon. Sharon Johnson Coleman
	)	
BOARD OF EDUCATION TOWNSHIP	)	<u>Magistrate Judge Beth W. Jantz</u>
HIGH SCHOOL DISTRICT 113, DANIEL	)	
STRUCK, Individually and in his Official	)	
Capacity, THOMAS KRIEGER,	)	
Individually and in his Official Capacity,	)	
and MICHELLE HAMMER BERNSTEIN,	)	
	)	
Defendants.		

**JOINT STATUS REPORT**

The parties, by and through their undersigned counsels, submit the following Joint Status Report pursuant to the Court's July 21, 2025, Order [ECF No. 100]:

Plaintiff Kenyon and the Board of Education (on behalf of itself and Defendants Struck and Krieger) have agreed to participate in private mediation before the Hon. Joseph N. Casciato (Ret.), currently scheduled for August 21, 2025. They request that the stay on discovery as to Plaintiff's claims against the Board, Struck, and Krieger remain in place pending the mediation.

Defendant Bernstein has declined to participate in the private mediation but remains open to continuing with settlement discussions presided over by Judge Jantz. Defendant Bernstein believes that the discovery process will provide insight into the claims asserted and thereby provide impetus to possible settlement. Accordingly, Defendant Bernstein asks for the stay on discovery to be lifted as to Plaintiff's claims against her.

Dated: August 6, 2025

Respectfully Submitted,

Britnee Kenyon,

By: /s/ Adam M. Berger  
Adam M. Berger (ARDC # 6269402)  
Thomas J. Cassady (ARDC # 6307705)  
Miller Berger, LLC  
20 N. Clark St., Ste. 2450  
Chicago, Illinois 60602  
(312) 283-4563  
adam@millerberger.com  
tom@millerberger.com

Defendants Board of Education  
Township High School District 113,  
Thomas Krieger, and Daniel Struck,

By: /s/ William R. Pokorny  
William R. Pokorny  
Reva Ghadge  
Franczek P.C.  
300 South Wacker Drive, Suite 3400  
Chicago, IL 60606  
(312) 786-6141  
wrp@franczek.com  
rgg@franczek.com

Defendant Michelle Bernstein,

By: /s/ Nathan J. Moelker  
Nathan J. Moelker  
Geoffrey R Surtees  
Abigail A. Southerland  
American Center for Law & Justice  
P.O. Box 90555  
Washington, DC 20090-05551  
(800) 342-2255  
gsurtees@aclj.org  
asoutherland@aclj.org  
nmoelker@aclj.org

Charles E. Hervas  
Hervas Condon & Bersani, P.C.  
333 Pierce Road, Suite 195  
Itasca, IL 60143-3156  
(630) 773-4774  
chervas@hcbattorneys.com

**CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2025, I electronically filed the foregoing with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the Court's CM/ECF system, which will automatically send notification of this filing to all counsel of record.

/s/ Thomas J. Cassady  
Thomas J. Cassady (ARDC # 6307705)  
Miller Berger, LLC  
20 N. Clark St., Ste. 2450  
Chicago, Illinois 60602  
(312) 283-4563  
[Tom@millerberger.com](mailto:Tom@millerberger.com)